

NORRISTOWN MUNICIPAL WASTE AUTHORITY
MINUTES OF THE MEETING
JANUARY 8, 2020

CALL TO ORDER:

The January meeting of the Board of the Norristown Municipal Waste Authority (“NMWA”) was called to order by Chairman Gregory Nester at 6:15 PM in the Norristown Municipal Waste Authority Office.

ROLL CALL:

Board members present:

Gregory Nester
Jack Ochnich
Fernando Feliciano
Cathy Lawrence
Cyril Burke

Also in attendance:

Ed Rudolph, Rudolph Clarke, LLC
Robert Praga, Remington & Vernick (RVB)
John Larson, NMWA
Barry Thompson, Keystone Alliance Consulting

ELECTION OF OFFICERS:

On a motion by Mr. Burke, seconded by Ms. Lawrence, the NMWA Board unanimously approved the following motion:

“Moved that effective this date the Board of the Norristown Municipal Waste Authority (“Authority”) does hereby elect the following members to the office indicated in accordance with the Municipality Authorities Act, the By-Laws of the Authority and all applicable laws of the Commonwealth of Pennsylvania.

<u>MEMBER</u>	<u>TITLE</u>
Gregory Nester	Chairperson
Cyril Burke, Jr.	Vice-Chairperson
Fernando Feliciano, Jr.	Treasurer
Jack Ochnich	Secretary
Cathy Lawrence	Assistant Treasurer/Secretary

It is further moved that the term of each member to the respective office hereinabove designated shall terminate upon the commencement of the first meeting of the Authority Board in the year 2021.”

PUBLIC COMMENT:

None.

APPROVAL OF MINUTES:

On a motion by Mr. Burke, seconded by Mr. Ochnich, the NMWA Board approved the Minutes of the December 11, 2019 Authority Meeting. Ms. Lawrence and Mr. Feliciano abstained because they did not attend the meeting.

STAFF REPORTS:

Mr. Praga reported that construction on the Markley Street Section 510 project is scheduled to start in January with sewer reconstruction beginning in May or June.

Mr. Praga noted that a pre-application meeting is set for January 15, 2020 for the proposed 187-unit apartment development next to the wastewater treatment plant.

Mr. Thompson, reporting on behalf of HRG, noted that Job Conference No. 2 was held for Contract Nos. MG-1 & MG-2 for the construction of the Maintenance Garage and that HRG approved Payment No. 1 for Contract MG-2 in the total amount of \$10,710.00.

Mr. Larson stated that the collection system personnel cleaned 41,435 feet of pipe, responded to 134 PA 1 calls and 9 sewer blockage calls, three of which were actual NMWA blockages, installed 4 manhole inserts, and posted 99 water shutoff notices while the wastewater treatment plant treated an average daily flow of 5,030,000 gallons with a total rainfall of 5.31 inches and no permit violations.

Mr. Thompson indicated that the accounts receivable ended the year at \$556,715 and the financial operations showed a surplus for the year of \$968,221. He noted that the operating disbursements for the month of January totaled \$193,843.44, which was slightly over budget for the first month of the year primarily because of the upfront payment of the liability insurance premium while the capital expenditures amounted to \$89,827.74 and covered payments to HRG for engineering and Seiler Drury for architectural work, both associated with the sewer plant upgrade, and the electrical contractor in connection with construction of the Maintenance Garage. Finally, Mr. Thompson recommended that \$900,000 be transferred from the Operating Reserve Fund to the Capital Fund to help pay for some of the proposed capital improvements to the wastewater treatment plant.

OLD BUSINESS:

None.

NEW BUSINESS:

On a motion by Mr. Feliciano, seconded by Mr. Burke, the NMWA unanimously approved the appointment of the engineering firm of Remington, Vernick and Beach as Consulting Engineer.

On a motion by Ms. Lawrence, seconded by Mr. Burke, the NMWA unanimously approved the appointment of the law firm of Rudolph Clarke, LLC as Solicitor.

On a motion by Ms. Lawrence, seconded by Mr. Feliciano, the NMWA unanimously approved the appointment of the consulting firm of Keystone Alliance Consulting as Management Consultant.

MONTHLY DISBURSEMENTS TO VENDORS AND FOR PROFESSIONAL SERVICES:

Total Operation Disbursements for January	\$193,843.44
Capital Expenditures	\$89,827.74
Developer Escrow	\$270.00
TOTALS FOR JANUARY	\$283,941.18

On a motion by Mr. Feliciano, seconded by Mr. Ochnich, the NMWA unanimously approved the monthly disbursements for January 2020 in the total amount of \$283,941.18.

OTHER COMMENTS:

The next NMWA Board meeting is scheduled for February 12, 2020.

ADJOURNMENT:

On a motion by Ms. Lawrence, seconded by Mr. Ochnich, the NMWA Board Meeting was adjourned.

SUBMITTED BY: BARRY THOMPSON

NORRISTOWN MUNICIPAL WASTE AUTHORITY
MINUTES OF THE MEETING
FEBRUARY 12, 2020

CALL TO ORDER:

The February meeting of the Board of the Norristown Municipal Waste Authority (“NMWA”) was called to order by Chairman Gregory Nester at 6:45 PM in the Norristown Municipal Waste Authority Office.

ROLL CALL:

Board members present:

Gregory Nester
Fernando Feliciano
Cathy Lawrence
Cyril Burke

Also in attendance:

Aaron Kostyk, Rudolph Clarke, LLC
Robert Praga, Remington & Vernick (RVB)
John Larson, NMWA
Barry Thompson, Keystone Alliance Consulting

PUBLIC COMMENT:

None.

APPROVAL OF MINUTES:

On a motion by Mr. Burke, seconded by Mr. Feliciano, the NMWA Board approved the Minutes of the January 8, 2020 Authority Meeting.

STAFF REPORTS:

Mr. Praga reported that site plans for Phase 2 of Montgomery Park, consisting of a 42-unit senior living facility, as well as for the Montgomery County Justice Center, were approved by RVB pending the sewerage facilities planning response from PaDEP.

Mr. Praga noted that there are no change or updates for the proposed projects involving 1529 Dekalb Street, 221 West Main Street, and the Norristown Centre.

Mr. Praga stated that sewer bypass in connection with the bridge replacement for the Markley Street Section 510 project should begin shortly with sewer reconstruction starting in May. He added that Section 530 may now be incorporated into Section 510 rather than being bid as a separate project.

Mr. Praga indicated that there has been no response to the Professional Services Agreement submitted to the developer for the proposed project at 200 East Logan Street.

Mr. Fox noted that a Job Conference was held for Contract Nos. MG-1 since the general contractor is behind schedule for the construction of the Maintenance Garage and that HRG approved Payment No. 2 for Contract MG-2 in the total amount of \$3,060.00.

Mr. Fox, in conjunction with Mr. Larson and Mr. Thompson, made a presentation to the NMWA Board, which discussed the transition from the GESA (Guaranteed Energy Savings Act) approach to the current project, explained the components of the proposed sewer plant upgrade, and set forth the schedule for the project. Mr. Fox stated that the project will be advertised for public bids on February 13th with the intent of awarding the construction contracts at the April 8th Authority meeting. He indicated that the project should be substantially complete by May 2021. Mr. Larson added that the Authority will pre-purchase the belt filter press through the state's COSTARS program to ensure that the desired equipment is utilized at the most cost-effective price. Finally, Mr. Thompson pointed out that discussions regarding financing the project have been initiated with the Fulton Bank with a settlement date tentatively set for the latter part of April.

Mr. Larson reported that the collection system personnel cleaned 39,250 feet of pipe, responded to 210 PA 1 calls and 12 sewer blockage calls, four of which were actual NMWA blockages, installed 1 manhole insert, and posted 242 water shutoff notices while the wastewater treatment plant treated an average daily flow of 5,520,000 gallons with a total rainfall of 3.30 inches and no permit violations.

Mr. Thompson reported that the accounts receivable increased for the month of January due to a reduction in collections and that the financial operations showed a surplus of \$66,616 for January primarily as a result of the receipt of the quarterly reimbursement from West Norriton Township. He noted that the operating disbursements for the month of February, which totaled \$165,303.54, continued to be slightly over budget because of the upfront payment of the insurance premium and an increase in the sludge disposal costs while the capital expenditures amounted to \$21,581.75 and covered payments to HRG for engineering and Seiler Drury for architectural work, both associated with the sewer plant upgrade, and the electrical contractor in connection with construction of the Maintenance Garage. Finally, Mr. Thompson stated that the transfer of \$900,000 from the Operating Reserve Fund to the Capital Fund, as discussed at the January meeting, was processed.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

MONTHLY DISBURSEMENTS TO VENDORS AND FOR PROFESSIONAL SERVICES:

Total Operation Disbursements for February	\$165,303.54
Capital Expenditures	\$21,581.75
Developer Escrow	\$540.00
TOTALS FOR FEBRUARY	\$187,425.29

On a motion by Mr. Feliciano, seconded by Ms. Lawrence, the NMWA unanimously approved the monthly disbursements for February 2020 in the total amount of \$187,425.29.

OTHER COMMENTS:

The next NMWA Board meeting is scheduled for March 11, 2020.

ADJOURNMENT:

On a motion by Ms. Lawrence, seconded by Mr. Feliciano, the NMWA Board Meeting was adjourned.

SUBMITTED BY: BARRY THOMPSON

NORRISTOWN MUNICIPAL WASTE AUTHORITY
MINUTES OF THE MEETING
APRIL 15, 2020

CALL TO ORDER:

The April meeting of the Board of the Norristown Municipal Waste Authority (“NMWA”) was called to order by Chairman Gregory Nester at 6:45 PM. The meeting was conducted by video conference in compliance with the stay-at-home orders of Governor Wolf. Jack Ochnich and Cathy Lawrence participated in the meeting via teleconference.

ROLL CALL:

Board members present:

Gregory Nester
Fernando Feliciano
Cathy Lawrence
Cyril Burke
Jack Ochnich

Also in attendance:

Ed Rudolph, Rudolph Clarke, LLC
Josh Fox, HRG
John Larson, NMWA
Barry Thompson, Keystone Alliance Consulting

PUBLIC COMMENT:

Mr. Thompson explained that a note was placed on the Authority website indicating that the meeting would be held via video conferencing and that customers could submit questions or comments in advance either by email or regular mail. No questions or comments were received.

APPROVAL OF MINUTES:

Mr. Thompson reminded the NMWA Board that there was no March meeting and therefore the Minutes of the February Meeting were not addressed.

On a motion by Mr. Burke, seconded by Ms. Lawrence, the NMWA Board approved the Minutes of the February 12, 2020 Authority Meeting. Mr. Ochnich abstained since he did not attend the February meeting.

STAFF REPORTS:

Mr. Thompson commented that staff reports were distributed to the Board along with other meeting documents. He asked if anyone had a question regarding the staff reports. There were none.

MONTHLY DISBURSEMENTS TO VENDORS AND FOR PROFESSIONAL SERVICES:

- Total Operation Disbursements for March	\$166,505.05
- Capital Expenditures	\$190,072.42
- TOTALS FOR MARCH	\$356,577.47

On a motion by Mr. Feliciano, seconded by Mr. Ochnich, the NMWA unanimously approved the monthly disbursements for March 2020 in the total amount of \$356,577.47.

MONTHLY DISBURSEMENTS TO VENDORS AND FOR PROFESSIONAL SERVICES:

- Total Operation Disbursements for April	\$143,152.97
- Capital Expenditures	\$217,312.19
- TOTALS FOR APRIL	\$360,465.16

On a motion by Mr. Burke, seconded by Mr. Feliciano, the NMWA unanimously approved the monthly disbursements for April 2020 in the total amount of \$360,465.16.

OLD BUSINESS:

None.

NEW BUSINESS:

Mr. Thompson noted that a Resolution prepared by Mr. Rudolph had been provided previously to the NMWA Board to address changes implemented to the billing and collection process to provide relief to its customers as a result of the Coronavirus. Mr. Rudolph added that the Resolution would amend the Rules and Regulations of the NMWA to allow for this change, which will be terminated at a later date by another Resolution.

On a motion by Mr. Burke, seconded by Mr. Feliciano, the NMWA unanimously approved Resolution No. 2020-04-01 revising the Rules, Rates and Regulations of the Norristown Municipal Waste Authority related to the temporary refrain of the imposition of interest and charges and the suspension of collection procedures.

Mr. Thompson stated that the bid tabulations for each of contracts associated with the sewer plant upgrade were transmitted to the NMWA Board previously along with the recommendation of the engineer. Mr. Fox indicated that HRG reviewed the bids and found those of the low bidder for each contract to be acceptable. He also noted that the total bids were very close to the total estimated construction cost prepared by HRG. Mr. Rudolph added that he also reviewed the bidding documents for each lower bidder and that they were satisfactory.

On a motion by Mr. Burke, seconded by Mr. Feliciano, the NMWA unanimously accepted Eastern Environmental Contractors, Inc. as the lowest responsible and responsive bidder to Contract WWTP-1: General Construction in the total bid sum of \$7,878,780.00. Furthermore, the Executive Director is authorized and directed to execute all documents and take all necessary actions to effectuate the terms of the bid documents required therein of the Authority.

On a motion by Ms. Lawrence, seconded by Mr. Ochnich, the NMWA unanimously accepted BSI as the lowest responsible and responsive bidder to Contract WWTP-2: Electrical Construction in the total bid sum of \$1,924,455.00. Furthermore, the Executive Director is authorized and directed to execute all documents and take all necessary actions to effectuate the terms of the bid documents required therein of the Authority.

On a motion by Ms. Lawrence, seconded by Mr. Ochnich, the NMWA unanimously accepted Rogers Mechanical Company as the lowest responsible and responsive bidder to Contract WWTP-3: HVAC Construction in the total bid sum of \$401,717.00. Furthermore, the Executive Director is authorized and directed to execute all documents and take all necessary actions to effectuate the terms of the bid documents required therein of the Authority.

Mr. Thompson reported that the accounts receivable increased approximately \$34,000 for the month of March due to a reduction in collections primarily associated with the relaxation of our collection procedures due to the pandemic. He also stated that the financial operations showed a deficit of \$33,609 for March.

Mr. Thompson reminded the NMWA Board that he sent an email with a discussion of the terms and conditions of the borrowing with Fulton Bank and the request that we close on the borrowing no later than May 15, 2020. He indicated that Bond Counsel has been hired to prepare the necessary documents for the borrowing and that a video conference will be held with Bond Counsel and then distributed to the NMWA Board so that each member could get a better understanding of the timeline of events associated with the borrowing.

OTHER COMMENTS:

The next NMWA Board meeting is scheduled for May 13, 2020.

ADJOURNMENT:

On a motion by Mr. Ochnich, the NMWA Board Meeting was adjourned.

SUBMITTED BY: BARRY THOMPSON

NORRISTOWN MUNICIPAL WASTE AUTHORITY
MINUTES OF THE MEETING
MAY 15, 2020

CALL TO ORDER:

The May meeting of the Board of the Norristown Municipal Waste Authority (“NMWA”) was called to order by Chairman Gregory Nester at 6:45 PM. The meeting was conducted by video conference in compliance with the stay-at-home orders of Governor Wolf. Jack Ochnich participated in the meeting via teleconference.

ROLL CALL:

Board members present:

Gregory Nester
Fernando Feliciano
Cathy Lawrence
Cyril Burke
Jack Ochnich

Also in attendance:

Ed Rudolph, Rudolph Clarke, LLC
Stephanie Sprenkle, McNeese Wallace & Nurick LLC
John Larson, NMWA
Barry Thompson, Keystone Alliance Consulting

PUBLIC COMMENT:

Mr. Thompson explained that a note was placed on the Authority website indicating that the meeting would be held via video conferencing and that customers could submit questions or comments in advance either by email or regular mail. No questions or comments were received.

APPROVAL OF MINUTES:

On a motion by Mr. Ochnich, seconded by Mr. Feliciano, the NMWA unanimously approved the Minutes of the April 15, 2020 Authority Meeting.

STAFF REPORTS:

Mr. Thompson commented that staff reports were distributed to the Board along with other meeting documents. He asked if anyone had a question regarding the staff reports. There were none. Mr. Larson provided a short update on the status of the maintenance garage.

MONTHLY DISBURSEMENTS TO VENDORS AND FOR PROFESSIONAL SERVICES:

- Total Operation Disbursements for May	\$151,613.97
- Capital Expenditures	\$197,038.66
- TOTALS FOR MAY	\$348,652.63

On a motion by Mr. Feliciano, seconded by Mr. Burke, the NMWA unanimously approved the monthly disbursements for May 2020 in the total amount of \$348,652.63.

OLD BUSINESS:

None.

NEW BUSINESS:

Mr. Thompson reminded the NMWA Board that he sent the Professional Services Agreement for the proposed 30-townhome development at 200 East Logan Street for review and that it is the standard Agreement prepared by Mr. Rudolph for all developments.

On a motion by Mr. Feliciano, seconded by Mr. Ochnich, the NMWA unanimously approved the Professional Services Agreement, dated May 13, 2020, between the Norristown Municipal Waste Authority and Joseph Venezia in connection with the proposed development at 200 East Logan Street.

Mr. Thompson introduced Ms. Sprenkle and noted that she was appointed as Bond Counsel for the upcoming borrowing of \$10,000,000 from the Fulton Bank to finance the sewer plant upgrade. Ms. Sprenkle explained the documents prepared for the borrowing, including Resolution No. 2020-05-01, which was previously transmitted to the NMWA Board. Mr. Thompson added that the terms and conditions of the borrowing were discussed at the April Authority meeting and subsequently in an email sent to the NMWA Board.

On a motion by Mr. Burke, seconded by Mr. Feliciano, the NMWA unanimously approved Resolution No. 2020-05-01 authorizing the issuance of the Authority's Sewer Revenue Note, Series of 2020, in the principal amount of \$10,000,000 and approving certain documents in connection with the issuance of such Note.

Mr. Thompson reported that the accounts receivable increased approximately \$32,000 for the month of April due to a reduction in collections primarily associated with the relaxation of our collection procedures due to the pandemic. He also stated that the financial operations showed a surplus of revenues over expenses of \$139,519 for April as a result of the quarterly reimbursement from West Norriton Township.

OTHER COMMENTS:

The next NMWA Board meeting is scheduled for June 10, 2020.

ADJOURNMENT:

On a motion by Ms. Lawrence, the NMWA Board Meeting was adjourned.

SUBMITTED BY: BARRY THOMPSON